

## § 1803.1

- 1803.32 Receipt, recording, and tasking.
- 1803.33 Determination by NACIC Office Chiefs
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### Subpart E—Further Appeals

- 1803.41 Right of further appeal.

**AUTHORITY:** Section 3.6 of Executive Order 12958 (or successor Orders) and Section 102 of the National Security Act, as amended (50 U.S.C. 403).

**SOURCE:** 64 FR 49890, Sept. 14, 1999, unless otherwise noted.

### Subpart A—General

#### § 1803.1 Authority and purpose.

(a) *Authority.* This part is issued under the authority of and in order to implement §3.6 of Executive Order (E.O.) 12958 (or successor Orders); and Section 102 of the National Security Act of 1947, as amended (50 U.S.C. 403).

(b) *Purpose.* This part prescribes procedures, subject to limitations set forth below, for members of the public to request a declassification review of information classified under the various provisions of this or predecessor Orders. Section 3.6 of E.O. 12958 and these regulations do not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, or employees.

#### § 1803.2 Definitions.

For purposes of this part, the following terms have the meanings as indicated:

*NACIC* means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

*Days* means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any requirement of this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

*Control* means ownership or the authority of NACIC pursuant to federal

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statute or privilege to regulate official or public access to records;

*Coordinator* means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the mandatory declassification review provisions of Executive Order 12958;

*Federal agency* means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

*Information* means any knowledge that can be communicated or documentary material, regardless of its physical form that is owned by, produced by or for, or under the control of the United States Government; it does not include information originated by the incumbent President, White House Staff, appointed committees, commissions or boards, or any entities within the Executive Office that solely advise and assist the incumbent President;

*Interested party* means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

*NARA* means the National Archives and Records Administration;

*Originator* means the NACIC officer who originated the information at issue, or successor in office, or a NACIC officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

*Presidential libraries* means the libraries or collection authorities established by statute to house the papers of former Presidents Hoover, Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush and similar institutions or authorities as may be established in the future;

*Referral* means coordination with or transfer of action to an interested party;

*This Order* means Executive Order 12958 of April 17, 1995 or successor Orders;